

INDICT MAC ARTHUR IN JERSEY ATTACKS

Grand Jury Acts After Two
Women Tell Stories of
Assaults.

CHARGES ARE SERIOUS

Adopted Son of Contractor
Reiterates Denial and Is
Ready for Trial.

EXPLAINS OUT ON HAND

Says It Was Not Due to Bite,
but to a Lanced
Pimple.

Two indictments, each charging Alexander MacArthur, adopted son of John R. MacArthur, wealthy contractor, with assault and battery, were handed down by the Essex County Grand Jury in Newark last night. Certified copies of the indictment will be brought here by a New Jersey policeman when MacArthur is arraigned this morning in Tombs Court, and will be put in evidence in extradition proceedings.

Mrs. Helen D. O'Neill and Miss May Louise Bradshaw are the complainants in the indictments, which were drawn up after the Grand Jury had been kept in session by Prosecutor J. Henry Harrison until 8 o'clock last night to hear the testimony of the two women. Prosecutor Harrison urged that the hearing be completed so that the indictments could be presented in court here to-day.

When notified at his home, 177 East Seventy-eighth street, last night, MacArthur said: "That is only what was expected, and I shall be in court with my counsel in the morning." When informed that Detective Correll and others who arrested him on Saturday at Headquarters had stated that he had made no denial of the charges of assault upon the women, MacArthur said:

"I was too surprised to choose my words. If they want a 'flat denial' all that I have to say is that I never attacked, assaulted or even saw either of these women before in my life. I think that statement is 'flat denial' enough for any one. I wondered at the nerve of the women in picking me out of the lineup and was amazed at the entire affair."

Witnesses for the prosecution, including Mrs. O'Neill, Miss Bradshaw and policemen from Montclair and Cedar Grove, appeared shortly after noon at the County Prosecutor's offices in Newark. They were taken to a secluded part of the building, where no one was permitted to see them. When the time came for them to testify before the Grand Jury they were taken into the jury room and at the close of the hearing were taken out by a rear entrance

and hurried away in automobiles. Reporters were not permitted to question the witnesses.

Reports were received at Police Headquarters yesterday that the description of MacArthur tallied closely with that of a man who attacked Mrs. John Monroe of Love lane, Cedar Grove, a short time before the attack upon Miss Bradshaw. The man was bitten in the left hand by one of two dogs owned by Mrs. Monroe and ran away. The police then recalled the fact that MacArthur had his left hand bandaged when he was questioned at Headquarters on Saturday. When questioned regarding this by a reporter for The New York Herald last night MacArthur said that it was a small pimple which he had picked not more than two weeks ago and which had become infected and had to be lanced. This statement was checked up by the physician who had treated MacArthur for the pimple.

Emil E. Fuchs, attorney for MacArthur, went to Newark yesterday and offered to waive immunity and extradition, but this was not permitted under the New Jersey law. Mr. Fuchs said:

"I have had a long interview with my client and I am confident not only of his innocence but that he can establish his innocence at the first opportunity given him." In reference to the case of Mrs. Monroe, Mr. Fuchs said "Mr. MacArthur is ready to have the District Attorney of this county or of Essex county have a physical examination of him made, this being one positive way of proving his innocence."

Mr. Fuchs was asked last night how he could account for the immediate identification of MacArthur by the two women. "I know just what that means, but I cannot discuss that now. The truth may come out to-morrow I expect and then a series of questions will be answered," he said.

William Bogan, one of the policemen of the Cedar Grove force, came here yesterday to consult with the police here regarding the case. Accompanying him was Detective James Mason of Essex county, who will take MacArthur back to New Jersey if the extradition application is granted.

TILE MAN IS FINED \$4,000; FOUR BEGIN JAIL TERMS

Leniency for One With Sick
Wife and Aged Mother.

Charles C. Alexander, president and treasurer of the Alexander & Reid Company, 355 West Sixth street, and last of the indicted members of the tile and mantle combine to receive sentences, was fined \$4,000 yesterday by Judge William C. Van Fleet in the United States District Court. Alexander's fine was unexpected as the other members of the combine had been sentenced to terms in the Essex county jail. Judge Van Fleet said that because Alexander pleaded guilty and had an invalid wife and supports an aged mother, he felt the fine was sufficient.

Judge Van Fleet refused an extension of time until after the Christmas holidays to Frank Nobbe, Herman Petri, Arthur Shiltone and Albert Schalle, and they surrendered to Marshal Hecht, who took them to jail to start their sentences of from three to four months.

Judge Van Fleet said that if the fines of delinquents were not paid by 2 o'clock he would sentence them to jail instead. There was a rush of tile men to pay and Clerk Frank Ferdon soon received more than \$50,000 in fines from tile and mantle men. The amount of fines imposed on the combination members by Judge Van Fleet aggregated about \$170,000.

FIREMEN FURNISH COURT.

The Coney Island court building having been closed as dangerous, Magistrate Francis McCloskey yesterday held court in the clubhouse of the Gravesend Volunteer Firemen's Association, in Eighth street, Coney Island. The room was heated by a big, round, old fashioned stove.

300 ATTEND DINNER FOR JOHN B. MOORE

Pan-American Society Honors
Newly Appointed Judge of
International Court.

John Bassett Moore, who is shortly to retire as president of the Pan-American Society of the United States to take up his duties as the newly appointed Judge of the Permanent Court of International Justice, was honored last night at a dinner given by members of the society in the ballroom of the Hotel Plaza. Three hundred guests were present, and practically every South American nation with which Mr. Moore has had long official association was represented by its ministers or envoys.

Mr. Moore outlined the principal points in the formation and constitution of the Court of Justice, and told of having received a telegram from Sir Eric Drummond, Secretary of the League of Nations, on December 1, instructing him to be present at The Hague Peace Palace at 11 o'clock on January 30, 1922, when the opening of the Permanent Court will be celebrated.

He expressed himself as not overoptimistic as to the probable success of the Court of Justice as an arbitrator of international affairs, and stated that the experiment depended largely upon the measure of support received from the various governments and the public at large.

"I am not accustomed to cherish illusions or to encourage others to cherish them," he said. "The court if it is to fulfill its high mission must have the support of the governments of the world and of public opinion, being in this respect like other human institutions. It shall not be discouraged if at the outset the court is not overburdened with business, for we live in a world of change, and nothing is final. The worst and the most difficult efforts may be destined, if not to failure, at least to disappointment. It is better, however, to have hoped and lost than never to have hoped at all."

Emphasis was laid by Mr. Moore upon the fact that the Court of Justice was not intended to supersede the Permanent Court of Arbitration established at The Hague in 1907, which has served, he said, and will continue to serve a useful purpose.

Former Gov. Charles S. Whitman paid a tribute to the selection of Mr. Moore as America's representative at the Court of Justice, pointing out that he had displayed eminent qualifications for the post and that his presence there "would augur happily for the welfare of the nations and their people."

"The establishment of the Permanent Court of Justice," he said, "represents a notable advance in the direction of the reign of law and justice. The court is designed to serve the world as a whole and not merely any concert or alliance of nations."

Among those attending the dinner were Beltran Matheu, Chilean Ambassador; Adolfo Ballvian, Bolivian Minister; Emiliano Chamorro, Nicaraguan Minister; R. H. Elizalde, Minister of Ecuador; P. A. Pezet, Peruvian Ambassador; Lady Anklard, M. Breiting, Edward Cornell, Walter Frow, Mrs. Sally J. Farnham, George P. Kunz, Felix M. Warburg, Henry W. Taft and Baron and Baroness Portalis.

SUBWAY SMOKERS ARE FINED \$1 TO \$3 EACH

Brooklyn Magistrates Differ
in Penalties.

Seventy-eight men who were found in Brooklyn subway stations smoking pipes, cigars or cigarettes were summoned to the Adams street, Flatbush and Fifth avenue courts by Department of Health officials acting in cooperation with the police.

Nineteen men appeared before Magistrate Folwell in the Flatbush court. All got \$3 fines with the exception of Oreate Torri of 342 East 123d street, Manhattan, who was fined \$1, being out of work.

Twenty-three men who crowded into the Adams street court were fined \$1 each by Magistrate Reynolds. When Magistrate Glesener, sitting in the Fifth avenue court, observed the crowd in front of him he remarked to the three policemen who had made the arrests: "Instead of starting a crusade every six months or so suppose you do your duty every week. This law about smoking in the subway should be kept before the public all the time. I can go in the subway at any time almost and see men carrying lighted cigars or puffing at cigarettes." The Magistrate imposed a fine of \$3 in every case.

PHILADELPHIA JUDGE WARNS AUTOMOBILISTS

Tells Grand Jury to Make
Reckless Drivers Suffer.

Special Despatch to THE NEW YORK HERALD. PHILADELPHIA, Dec. 5.—In delivering his instructions to the Grand Jury to-day Judge Rogers pointed out the great number of deaths resulting from the reckless operation of automobiles, the increasing number of homicide cases and the frequency of holdups.

He said in Philadelphia county from last January 1 to November 30 there had been thirty-seven cases of homicide and 176 deaths from automobile injuries.

Judge Rogers instructed the jurors to scrutinize carefully the evidence in cases of automobile deaths and when the evidence warrants it find true bills for murder or manslaughter. In speaking of reckless driving, he said: "It is an evil that appears to be on the increase, and pedestrians must be protected, and it does seem that it can only be done by a rigorous application of the law."

STRUCK BY ELECTRIC TRAIN.

Joseph Fagan, 7, was struck by an electrically driven train of the Long Island Railroad while crossing the tracks at Euclid and Atlantic avenues, Brooklyn, yesterday. He was taken to Kings County Hospital, with severe burns and fractured left arm. His condition is critical. His home is at 943 Belmont

GRAHAM DIVORCE DECISION RESERVED

Son Principal Witness for
Mother in Action Involving
Unknown Woman.

Justice Tompkins in the Supreme Court at White Plains yesterday reserved decision in the action for divorce brought by Mrs. Matilda A. Graham of Rye, who was formerly prominent in London society, against Lionel H. Graham, who is in Europe. Mrs. Graham named an unknown woman as co-respondent and submitted in evidence a sheet from the register of a Washington hotel, together with depositions from employees of the house.

Basel Marmaduke Graham of 167 Boston Post road, Rye, secretary and treasurer of the Anglo-American Farm Mortgage Corporation of 1 Exchange place, a son of Mrs. Graham, was the principal witness for his mother. He identified a photograph as that of his father, and the names on the hotel register, "Mr. and Mrs. L. H. Graham," he said were in his father's handwriting.

It was alleged that Mr. Graham and the unknown woman were at the hotel on March 24, 1921, and June 23, 1921. Basil Graham testified that on the first of these dates his mother was in England, and that on the second she was at his home in Rye. Graham entered no defense. He was served with a summons and complaint on July 7, 1921, by Attorney Standish Chard. Justice Tompkins said that he would not hand down a decision until he had read the depositions of the Washington witnesses.

SERGEANT WOODFILL GETS ITALIAN CROSS

Called From Ranks by Gen.
Diaz to Receive Decoration.

CORONADO, Dec. 5.—Sergeant Samuel Woodfill, world war hero, was called from the ranks at Fort Thomas this afternoon by Gen. Armando Diaz, Commander of the Italian armies, and an Italian war cross, registered by the King, was pinned on his breast.

In a sweeping snow storm Gen. Diaz demanded that Sergeant Woodfill be presented. Woodfill, as a duty sergeant, was with his company and whistled forward saluted. Gen. Diaz, ignoring the salute, clasped him by the hand.

After a day of entertainment, during which he visited Mrs. F. W. Galbraith, Jr., widow of the Commander in Chief of the American Legion, Gen. Diaz left for Washington to-night.

ARBuckle TO FACE LEGAL CHIEF AT TRIAL

Brady to Take Charge of
Prosecution.

SAN FRANCISCO, Dec. 5.—District Attorney Matthew F. Brady personally will examine witnesses, present other evidence and otherwise directly conduct the prosecution in the second trial of Roscoe C. (Fatty) Arbuckle on a charge of manslaughter in connection with the death of Miss Virginia Rapp, he announced to-day. The first trial ended yesterday in a jury disagreement. The case has been set for retrial January 9. Both sides agreed that the second trial will be much shorter than the first. Gavin McNab, chief defense counsel, said he did not expect it would last more than a week.

"As a result of the first trial the evidence is all in shape for quick presentation," he said, "and it is not likely that there will be much new evidence."

WALPOLE LINENS

For Holiday Gifts
LARGE SELECTION OF
HANDKERCHIEFS
OF EVERY DESCRIPTION
Including Tape Borders,
Initial, Hand Embroidered
Corners, etc.

ALSO DAINTY COLLAR
AND CUFF SETS
in Real Irish Linen
of various descriptions.

WALPOLE BROS

ESTABLISHED 1766
FIFTH AVE. at 39th ST., NEW YORK
Also at Boston London Dublin

J. M. Gidding & Co.

564-566-568 FIFTH AVE. AT 46th STREET
NEW YORK "THE PARIS SHOP OF AMERICA" PARIS

Only twenty-two selling days remain in which to dispose of entire present selections, before we move to our New Building, Fifth Avenue, 56th and 57th Streets—

The following are suggestions of the offerings which embrace things both practical and useful for Holiday Giving and Personal Wear.

Magnificent Evening Wraps at \$125—\$165—\$195

Formerly \$250 to \$350—Rich chiffon velvets, brocaded velvets and metallic brocades, combined with squirrel, mole, fox, beaver, monkey fur, caracul and other fashionable furs. The smartest effects in fur and fabric are achieved in these wraps for formal occasions.

Dinner and Evening Gowns at \$95—\$125—\$145

Formerly \$185 to \$265—Of velvet, brocaded materials, soft rich satins, imported crepes and chiffons, handsomely beaded and embroidered effects in metallic tones and simple draped styles with new imported belts and girdles.

Daytime Dresses at \$50—\$75—\$95

Formerly \$85 to \$195—Tailored and informal styles of twill, satin, velvet and Canton crepe.

Handsome Costume Suits at \$65—\$95—\$125 to \$195

Formerly \$145 to \$350—Fashioned in the Season's Newest and Smartest Fabrics, richly combined with Fur—embracing styles suitable for Afternoon and Informal occasions.

Plain Tailored and Fur-trimmed Suits at \$45—\$75

Formerly \$75 to \$125—Town and Country styles, including several models suitable for sports occasions with and without collars of Raccoon and Australian Opossum.

Fur-trimmed Day Coats & Wraps at \$95—\$125—\$150

Formerly \$145 to \$295—Stunning new effects for all manner of smart daytime wear—the newest fabrics and the most desirable furs richly combined. Straightline effects and draped wrap styles.

Beautiful Hand Bags and Vanity Cases

at \$10—\$15—\$20—\$25—\$35—\$45

Formerly \$25 to \$150—Of velvet, silk, brocades, satin striped taffeta and imported leathers with mountings of gold, sterling silver, hand carved Galatean and ivory, smartly fitted and richly lined—this showing constitutes the entire collection which we had intended to present in our New Building and includes both styles imported from Paris as well as unique designs made in America.

Rich Furs—Coats—Capes—Wraps and Separate Scarfs

In view of the recent rise in the cost of raw skins and the further anticipated increases in the fur market, this opportunity to procure furs of the highest type at reductions of twenty-five to fifty per cent. below ruling prices should be one which the discriminating woman can scarcely afford to overlook.

\$4500 Choice Broadtail Wrap.....\$2350	\$650 Handsome Mole Coat.....\$475
(Large shawl tuxedo collar of Tipped Hudson Bay Sable)	\$35 Persian Lamb Coat.....\$395
\$1600 Ermine Cape.....\$1000	\$550 Natural Raccoon Coats.....\$350
\$12.0 Natural Squirrel Wrap....\$875	\$395 Taupe Nutria Day Coat.....\$275
\$875 Black Caracul Wrap.....\$595	\$850 Choice Hudson Seal Coats.....\$575
	\$250 Black Russian Pony Coat.....\$150

Franklin Simon & Co.

A Store of Individual Shops
FIFTH AVENUE, 37th and 38th STS.

For Madame and Mademoiselle

SANDALS AND
ONE-STRAP
EVENING SLIPPERS

14.00

Immediate Purchase
Insures the Present
Small Price and
Large Selection

FRANKLIN SIMON & CO. ADD
INCLUSIVENESS TO EXCLUSIVE-
NESS BY PRESENTING IN BRO-
CADES IMPORTED ONLY BY THE
SHOE SHOP THE LARGEST
NUMBER OF DIFFERENT SAN-
DALS AND SLIPPERS EVER AS-
SEMBLED IN ONE SHOP. . . .

Evening Sandals and One-Strap
Slippers of Imported Brocades in
silver, gold, black with gold or
silver, green and silver or bronze,
or cloth of silver or gold.

FEMININE SLIPPER SHOP—Third Floor

Fur lends distinction to Cloth Coats

A large collar of soft, rich fur enhances the beauty of
any fabric—even those as attractive in
pattern as Gunther exhibits.

FUR TRIMMED CLOTH COATS 100 to 475

In faithful adaptations of Paris designs and original
Sport styles. The display comprises straight line
and flare effects in a variety of fabrics, including
many attractive Scotch plaids.

Coats and Capes fashioned in rich Hudson Seal
present the most exclusive styles as well
as the most attractive prices.

HUDSON SEAL (dyed muskrat) COATS	295 to 975
HUDSON SEAL (dyed muskrat) CAPE	825
SCOTCH MOLE CAPE	625
Embodying the flare skirt and scalloped waistline effect.	

Gunther
Fifth Avenue at 36th Street